

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. ABE, et al.
Application No.: 10/587,539
Filed: JULY 28, 2006
For: NOVEL TASTE-MODIFYING POLYPEPTIDE NAS, DNA
THEREOF AND USE THEREOF
Group AU: 1656
Examiner: David J. Steadman
Confirm. No.: 6923

RESPONSE

Mail Stop: AMD – NO FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 11, 2009

Sir:

In response to the Office Action mailed February 13, 2009, Applicants respectfully elect the Group I claims, that is, claims 1, 2, 5 and 6, which the Examiner contends are “drawn to the special technical feature of a polypeptide of SEQ ID NO: 2 or SEQ ID NO: “.

While Applicants do not traverse the contention of lack of unity, in order to facilitate proceedings in connection with the above-identified application, such lack of traverse does not constitute agreement with contentions by the Examiner in Items [12] and [13] on page 5 of the Office Action mailed February 13, 2009; in fact, such contentions by the Examiner therein, with respect to the art discussed therein, are respectfully traversed.

The Notice of Potential Rejoinder in Item [14] on page 6 of the Office Action mailed February 13, 2009, is noted. Thus, the non-elected claims are being retained in the above-identified application, in light of this Notice.

In view of the foregoing, examination of the Group I claims (that is, claims 1, 2, 5 and 6), on the merits, in due course, is respectfully requested.

To the extent necessary, Applicants hereby petition for an extension of time under 37 CFR 1.136. Kindly charge any shortage of fees due in connection with the filing of this paper, including any extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Account No. 01-2135 (case 1333.46425X00), and please credit any overpayments to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By /William I. Solomon/
William I. Solomon
Registration No. 28,565

WIS/ksh
1300 N. 17th Street, Suite 1800
Arlington, Virginia 22209
Tel: 703-312-6600
Fax: 703-312-6666